

State of Connecticut  
GENERAL ASSEMBLY  
STATE CAPITOL  
HARTFORD, CONNECTICUT 06106-1591

RECEIVED  
MAR 26 2007

CONNECTICUT  
SITING COUNCIL

March 20, 2007

Daniel F. Caruso, Chairman  
S. Derek Phelps, Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

Dear Chairman Caruso and Mr. Phelps:

We would like to thank Mr. Phelps for attending the construction update meeting held in Milford on March 15, 2007. We believe it was very informative for the community.

Several issues arose as a result of that meeting for which we are seeking your assistance. First, construction hours on Saturday have been very disruptive to the neighborhoods. We request that construction on Saturdays be limited to 8AM to 6PM. We recognize that the Siting Council was able to provide this relief to the residents of Orange and we believe that it is necessary for the residents of Milford as well. This limitation is requested only in the residential portions of Milford.

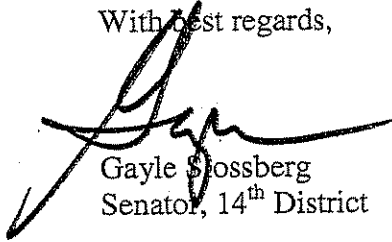
Second, as in other communities, there have been concerns regarding unauthorized access to the Right of Way. On behalf of the residents of Milford, we request that where a neighbor has raised such a concern, a temporary access gate be installed subject to the landowner's approval.

Finally, one of the most significant and outstanding issues that affects both Orange and Milford is the question as to liability of the property owner in the event of an accident or injury on the Right of Way which is the result of construction activities. We request that the Siting Council seek an opinion from the Attorney General's office clarifying the rights and obligations of the utility company as related to indemnification of homeowners in the event of an injury or accident on the Right of Way as a result of construction activities.

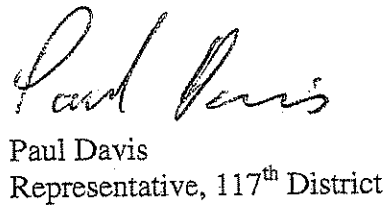
Gentlemen, the homeowners did not ask for this project and have suffered great losses of property value and quality of life as a result of the project. The least we can do is to minimize the disruption to their lives and provide some peace of mind that they are not somehow liable for the major construction they did not want in their backyards.

We appreciate the time, effort and compassion the Siting Council has shown in trying to help our constituents and we look forward to your favorable response.

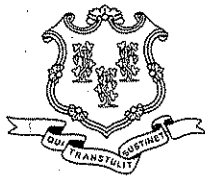
With best regards,



Gayle Stossberg  
Senator, 14<sup>th</sup> District



Paul Davis  
Representative, 117<sup>th</sup> District



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

April 11, 2007

Anne Bartosewicz  
Middletown-Norwalk Project Director  
Northeast Utilities System  
P.O. Box 270  
Hartford, CT 06141-0270

RE: **DOCKET NO. 272** - The Connecticut Light and Power Company and The United Illuminating Company Certificate of Environmental Compatibility and Public Need for the Construction of a New 345-kV Electric Transmission Line and Associated Facilities Between Scovill Rock Switching Station in Middletown and Norwalk Substation in Norwalk, Connecticut Including the Reconstruction of Portions of Existing 115-kV and 345-kV Electric Transmission Lines, the Construction of the Beseck Switching Station in Wallingford, East Devon Substation in Milford, and Singer Substation in Bridgeport, Modifications at Scovill Rock Switching Station and Norwalk Substation and the Reconfiguration of Certain Interconnections.  
**Construction hours and access road barriers. Development and Management Plan – Segment 2b- Town of Milford**

Dear Ms. Bartosewicz:

The Connecticut Siting Council (Council) has considered and acted to approve the request from Senator Gayle Slossberg, in a letter dated March 20, 2007, regarding that construction hours be limited to the hours of 8:00 a.m. to 6:00 p.m. for Saturday construction activities at nearby residences. Please be advised that Council staff has noted that such residences have been identified at structure number 3846 at the Milford/Orange town line and at structure numbers 3829 through 3816 and structure numbers 24003 to 24016 west of Wheelers Farm Road to east of Plains Road.

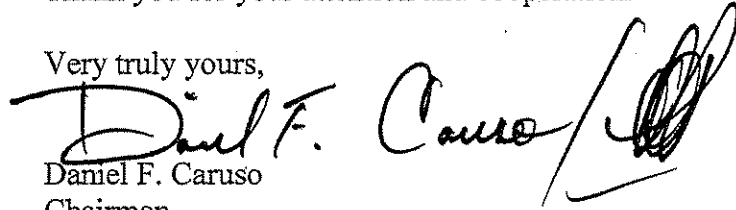
In the interest of public safety, the Council also directs that barriers (non-permanent gates) be placed at access road entrances from public roads, where suitable and appropriate consent is provided by property owners, to discourage unauthorized use of such roads.

The Council hereby acknowledges these additional conditions and announces that such provisions are thus incorporated into the provisions of the relevant Development and Management (D&M) Plan segment, as referenced above. Please also note that this

segment is subject to the Council's August 31, 2006 approval. Please be advised that deviations from this plan are enforceable under the provisions of the Connecticut General Statutes § 16-50u.

Thank you for your attention and cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Daniel F. Caruso", followed by a large, stylized flourish or scribble.

Daniel F. Caruso  
Chairman

DFC/FOC/cm

c: Council Members  
Parties and Intervenors  
The Honorable Gayle Slossberg, State Senate – 14<sup>th</sup> District  
The Honorable Paul Davis, State Representative – 117<sup>th</sup> District



Daniel F. Caruso  
Chairman

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Internet: [ct.gov/csc](http://ct.gov/csc)

April 11, 2007

The Honorable Richard Blumenthal  
Attorney General of the State of Connecticut  
P.O. Box 120  
Hartford, Connecticut 06141-0120

RE: **DOCKET NO. 272** - The Connecticut Light and Power Company and The United Illuminating Company Certificate of Environmental Compatibility and Public Need for the Construction of a New 345-kV Electric Transmission Line and Associated Facilities Between Scovill Rock Switching Station in Middletown and Norwalk Substation in Norwalk, Connecticut.

Dear Mr. Blumenthal:

This correspondence is in reference to a request by the Connecticut Siting Council (Council) for an opinion as to what the rights and responsibilities are of the utility companies relative their use of existing easements in connection with the above-referenced proceeding. This request is sent to you at the request of Senator Gayle Slossberg, pursuant to her letter of March 20, 2007.

As you have observed (reference your letter of March 21, 2007), the impacts of construction activities associated with this project are in many instances substantial. Although as a legal matter the right-of-way (ROW) has not increased in size, the utility company's use of the ROW has increased considerably. Indeed, along much of the ROW the Connecticut Light & Power Company has removed virtually all vegetation, including vegetative screening that had previously benefited abutting residential property owners, and has significantly expanded what is known as the so-called "wire zone."

Many homeowners have contacted our office and yours, as well as various elected officials, indicating that they are unclear as to what their legal rights are relative to utility ROWs. Understandably, some have retained their own legal counsel to address these questions on their behalf.

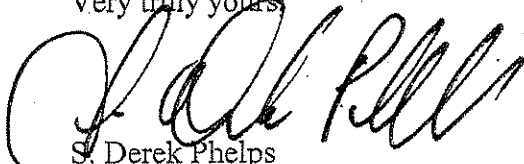
Much to your credit, you have offered your office as a resource for assistance to these residents and we thank you for that. Indeed, Senator Slossberg's request, communicated via our office, that you provide an opinion that seeks to clarify and better illuminate the



precise nature of the utility legal prerogatives and responsibilities would seem to be consistent with your gracious offer.

Mr. Blumenthal, I thank you again for your extraordinary help in these matters and stand ready to be of assistance to you if I am able. Thank you.

Very truly yours,



S. Derek Phelps  
Executive Director

c: Robert L. Marconi, Esq., AAG

SDP/cm